

AMENDMENT AND RESPONSE

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Serial No. 10/743,116

Dkt.: P-11209.07

Filing Date: December 22, 2003

Title: ACTIVE AIR REMOVAL SYSTEM OPERATING MODES OF AN EXTRACORPOREAL
BLOOD CIRCUIT

In the drawings:

Please find enclosed formal drawing sheets labeled "Replacement Sheet" for this application.

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Remarks

The Office Action objected to claims 6 and 26. This amendment is believed to render the objection moot.

The drawings were objected to as informal. Please find enclosed 24 pages of formal replacement drawing sheets. The enclosed formal drawings are believed to fully address the drawing objections.

Claims 1-3, 7, 18-23 and 27-30 were rejected under 35 U.S.C. Section 103(a) as being unpatentable over U.S. Pat. No. 6,730,267 to Stringer in view of U.S. Pat. No. 6,495,366 to Briggs.

Claims 8-9, 11-17, 31-33, 35, 41 and 42 were rejected under 35 U.S.C. Section 103 (a) as being unpatentable over U.S. Pat. No. 6,730,267 to Stringer in view of US Pat. No. 6,495,366 to Briggs, further in view of Tamari, U.S. Pat. No. 6,337,049.

Claims 4-6, 24 and 26 were rejected under 35 U.S.C. Section 103 (a) as being unpatentable over U.S. Pat. No. 6,730,267 to Stringer in view of U.S. Pat. No. 6,495,366 to Briggs, further in view of U.S. Pat. No. 4,710,165 to McNeil et al.

Claim 10 was rejected under 35 U.S.C. Section 103 (a) as being unpatentable over U.S. Pat. No. 6,730,267 to Stringer in view of US Pat. No. 6,495,366 to Briggs, in view of US 6,337,049 to Tamari and further in view of U.S. Pat. No. 4,710,165 to McNeil et al.

Claims 25, 34, 36-40, 43 and 44 were indicated as being allowable if rewritten. Applicants respectfully thank the Examiner for the indication of allowable subject matter in this case.

Applicants disagree with the rejections of the claims based on the cited references. However, solely in an effort to expedite prosecution of these claims,

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applicants have amended the claims to correspond to the allowable subject matter identified by the Examiner.

Reconsideration and withdrawal of the rejections of the claims, in view of the remarks and amendments presented herein, is respectfully requested.

A supplemental information disclosure statement and a petition for a one month extension of time accompany this amendment.

Please charge the fee for the supplemental information disclosure statement, the fee for the net four additional independent claims, and the extension of time fee to Deposit Account No. 13-2546.

If any questions remain in this case, the Examiner is invited to telephone Applicants' attorney at (763) 391-9661 to facilitate prosecution of this application.

Conclusion

Applicants respectfully submit that claims are in condition for allowance, and notification to that effect is earnestly requested.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 13-2546.

Respectfully submitted,

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